

**From:** [Robert Neely](#)  
**To:** [Eric Blischke/R10/USEPA/US@EPA](#)  
**Cc:** [Ben Meyer](#); [Genevieve Angle](#); [Nancy Munn](#); [Mary Baker](#); [Erin Madden](#)  
**Subject:** Habitat RAO  
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**Attachments:** [robert\\_neely.vcf](#)

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Hey Eric,

I've been in touch with Ben Meyer at NMFS today regarding the LWG language suggesting a programmatic ESA consultation. Ben suggests that the language be removed. By way of an explanation for LWG, you could pass this on to them (courtesy of Ben).

Programmatic consultations are for actions that are relatively minor in impact, repetitive in nature and predictable in outcome. Clean up actions in a Superfund area are by nature not minor in impact nor predictable in outcome. Each particular area will need to be consulted on individually, since they are pretty site specific on how sediments will be removed, capped, where they will be disposed of, etc. This does not lend itself to a programmatic approach.

Thanks,

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